

REMARKS

Claims 24-33 are pending in the present application. Claims 1-23 were previously cancelled. No new matter has been added.

Claims 24-33 have been rejected under 35 U.S.C. § 102(b) as assertedly being anticipated by U.S. Patent No. 5,668,035 to Fang et al. (hereinafter "Fang").

In an amendment dated December 13, 2005, Applicants amended claim 24 to recite that "the second polysilicon layer being in contact with the logic gate oxide in the periphery region and in contact with a major surface of the first doped polysilicon layer in the cell region." In response to this amendment, the Office Action states, "The term 'major surface' is being interpreted as 'any surface'. [sic]" Applicants respectfully disagree and assert the Office Action is making up a definition that is contrary to the well-used and well-understood meaning.

Random House Webster's College Dictionary (2000) defines the word "major" as "greater in size, extent, or amount." Significantly, nowhere does the word "any" show up in this definition, either explicitly or implicitly. In fact, whereas the word "major" specifies a particular surface, the word "any" has a contrary definition. Random House Webster's College Dictionary (2000) defines the word "any" as "every; all." Clearly, "major surface" specifies a particular surface relative to another, whereas "any surface" does not specify a particular surface – two contrary and opposing meanings. As such, interpreting the phrase "major surface" to mean "any surface" as asserted in the Office Action is incorrect, inappropriate, and illogical.

Furthermore, Applicants have conducted a search using the USPTO website to determine the frequency that the word "major" is used in claims. A search conducted on February 16, 2006 revealed that the word "major" was used in the claims of 55,470 patents. Note that this search was restricted to the claims and did not include patents using the word "major" only in the specification. Clearly, the "major" is a common word with a well-understood meaning.

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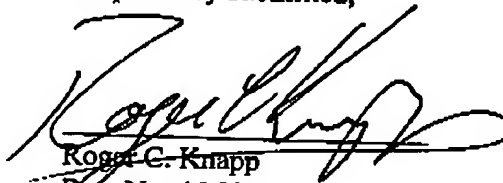
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Accordingly, Applicants respectfully request reconsideration of the rejections of claims 24-33 using a proper interpretation of the phrase "major surface." If the Examiner maintains his/her rejections and interpretations of the phrase "major surface" as "any surface," Applicants respectfully request the Examiner provide support for that interpretation.

In view of the above, Applicants respectfully submit that this response complies with 37 C.F.R. § 1.116. Applicants further submit that the claims are in condition for allowance. No new matter has been added by this amendment. If the Examiner should have any questions, please contact Applicants' attorney at the number listed below. No fee is believed due in connection with this filing. However, in the event that there are any fees due, please charge the same, or credit any overpayment, to Deposit Account No. 50-1065.

March 13, 2006
Date

Respectfully submitted,


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